

Meeting Minutes

Capital Regional District Board

Wednesday, September 13, 2023

1:10 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

DIRECTORS: C. Plant (Chair), M. Tait (Vice Chair), M. Alto, P. Brent, S. Brice, J. Brownoff, J. Caradonna, C. Coleman, Z. de Vries, B. Desjardins, S. Goodmanson, G. Holman, P. Jones, D. Kobayashi, M. Little, C. McNeil-Smith, K. Murdoch, D. Murdock, L. Szpak, D. Thompson (EP), S. Tobias, A. Wickheim, K. Williams, R. Windsor (EP)

STAFF: T. Robbins, Chief Administrative Officer; N. Chan, Chief Financial Officer; A. Fraser, General Manager, Integrated Water Services; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Guest: G. Horth; Capital Region Emergency Service Telecommunications (CREST)

The meeting was called to order at 1:09 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

A Territorial Acknowledgement was provided in the preceding meeting.

2. APPROVAL OF THE AGENDA

MOVED by Director Little, **SECONDED** by Director Desjardins,
That the agenda for the September 13, 2023 session of the Capital Regional District Board be approved with the following amendments:
- Item 6.1. be moved from consent agenda to be considered under Reports of Committees as item 8.3.
- Item 8.2. be removed.
CARRIED

3. ADOPTION OF MINUTES

3.1. [23-625](#) Minutes of the August 9, 2023 Capital Regional District Board Meeting

MOVED by Director Coleman, **SECONDED** by Director Tait,
That the minutes of the Capital Regional District Board meeting of August 9, 2023 be adopted as circulated.
CARRIED

4. REPORT OF THE CHAIR

I wish to provide the Board and the public some updates as well as ask you to think about what is coming forward in the next few months. Working with staff I have continued to meet with Local First Nations leadership and conduct Government to Government discussions. This is in response to our shared strategic priority to focus on and improve our First Nations Relations and pursue reconciliation opportunities. We have had meetings with the Pacheedaht, Sooke and Songhees Nations recently and I look forward to coming meetings with the Paquachin and Esquimalt Nations as well other First Nations that we have extended a request to meet. Typically at these meetings senior staff and I attend and share our organization's commitment and desire to have respectful and effective relationships with local First Nations governments. We share that we have some funding to support these discussions and that we are open to pursuing a memorandum of understanding if they are interested. I truly believe the pursuit of an MOU is the way forward as it provides both governments an understanding of how we will work together and provide a framework that will endure beyond Board terms. This coming September 30th is Orange Shirt Day. As you may recall we have been fortunate in the past to fly Eddy Charlie's Victoria Orange Shirt Day flag. Eddy has allowed us to fly the flag again this year. Eddy expressed his gratitude to the CRD for once again asking to fly the flag. He expressed that it's an important step towards reconciliation, and that given racism this kind of public initiative is a step towards supporting people to be safer when they walk down the street. I also look forward to seeing you and your Councils at our Forum of All Councils on Saturday October 14, 2023. You will likely have seen a letter on our correspondence portal from the Comox Valley Regional District Board Chair to the Island Corridor Foundation, indicating their regional district is now in support of reversion of the Island Corridor rail line where "such reversionary rights exist and the local First Nation has a desire to regain ownership of the land." In the future, likely sooner than later, our board will need to provide guidance to the Island Corridor Foundation on our region's stance on the matter. As you may recall the provincial government provided the CRD \$600,000 to meet and consult with local First Nations about the future of the corridor. These meetings are ongoing and the Board will be kept up to date on the discussions. As you will recall we are meeting at the end of October to approve our provisional 2024 Budget. In May of this year we provided the following guidance to staff: To exercise constraint and cost containment, the core inflationary adjust will be kept to 3.5% in the planning process. During the next two months we will be asking committees to approve our Community Needs Summaries at committee and these lead to the creation of our budget. As committee members I would ask you to please ask lots of questions and ensure that you believe the planned initiatives and proposed service levels meet your expectations as a director of this Board. Potential changes and amendments are possible at the committee level. Transportation as some of you know the CRD is asking each local government to provide input on a potential Transportation Service in the region. I am encouraging you again as directors to please continue to champion this initiative in your home jurisdiction. As presented in our previously endorsed documents we have a timeline in front of us where we could see meaningful change in transportation governance in our region during this term but we need to be united both here at the Board and also ensure our local jurisdictions can support a regional initiative while also

ensuring their local needs are met. It is a delicate balance but I am truly optimistic with the people around this table we can get there. And finally, I want to end by saying thank you to all of CRD staff who continue to deliver the valuable services our body provides. You are greatly appreciated and valued.

5. PRESENTATIONS/DELEGATIONS

5.1. Presentations

- 5.1.1. [23-642](#) Presentation: Gord Horth (General Manager) Capital Region Emergency Service Telecommunications (CREST); Re: Member Agency Report

G. Horth provided a presentation on the Member Agency Report.

Discussion ensued regarding:

- call levies for cell phones
- potential revenue sources from radio users
- operating capital

6. CONSENT AGENDA

Item 6.1. was removed from the consent agenda and moved to be considered under Reports of Committees as Item 8.3.

**MOVED by Director Tait, SECONDED by Director Little,
That consent agenda items 6.2. and 6.3. be approved.
CARRIED**

- 6.2. [23-525](#) Capital Regional District External Grants Update

This report was received for information.

- 6.3. [23-644](#) 2022 Capital Regional District Origin Destination Household Travel Survey

This report was received for information.

7. ADMINISTRATION REPORTS

- 7.1. [23-655](#) Consent on Behalf for Bylaw 4551 - Amendment to Increase Annual Requisition for Land Assembly, Housing and Land Banking Service

K. Morley spoke to Item 7.1.

MOVED by Director de Vries, SECONDED by Director Murdoch,

1. That participating area approval for Bylaw No. 4551, "Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2023" be obtained via two-thirds consent on behalf of municipal and electoral area participating areas.

2. That participating area approval in the electoral areas for Bylaw No. 4551 be provided by the Electoral Area Directors consenting on behalf, rather than alternative approval process.

CARRIED

- 7.2. [23-641](#) Regional District Wide AAP for Bylaw 4552 - Land Assembly, Housing and Land Banking Loan Authorization Bylaw No. 3, 2023

K. Morley spoke to Item 7.2.

MOVED by Director de Vries, SECONDED by Director Murdoch,

1. That elector approval for long-term borrowing under Bylaw No. 4552 be obtained by alternative approval process for the entire service area, as per section 345 of the Local Government Act.

CARRIED

MOVED by Director de Vries, SECONDED by Director Murdoch,

2. That third reading of Bylaw No. 4552, "Land Assembly, Housing and Land Banking Loan Authorization Bylaw No. 3, 2023," be rescinded.

CARRIED

MOVED by Director de Vries, SECONDED by Director Murdoch,

3. That Bylaw No. 4552 be amended by replacing in its entirety Whereas Clause E with the following:

"E. Pursuant to section 407 of the Local Government Act, participating area approval is required for this borrowing and shall be obtained by alternative approval process for the entire service area under section 345 of the Local Government Act.

CARRIED

MOVED by Director de Vries, SECONDED by Director Murdoch,

4. That Bylaw No. 4552 be read a third time as amended.

CARRIED

MOVED by Director de Vries, SECONDED by Director Murdoch,

5. That Bylaw No. 4552 as amended be referred to the Inspector of Municipalities.

CARRIED

7.3. [23-559](#) Bylaw No. 4570: 2023 to 2027 Financial Plan Bylaw, 2023, Amendment No. 2, 2023

N. Chan spoke to Item 7.3.

**MOVED by Director Brice, SECONDED by Director Kobayashi,
1. That Bylaw No. 4570, "2023 to 2027 Financial Plan Bylaw, 2023, Amendment Bylaw No. 2, 2023" be introduced and read a first, second, and third time.
CARRIED**

**MOVED by Director Brice, SECONDED by Director Kobayashi,
2. That Bylaw No. 4570 be adopted.
CARRIED**

7.4. [23-615](#) Bylaw No. 4569 and 4568: Temporary Borrowing Saanich Peninsula Recreation Services

N. Chan spoke to Item 7.4.

**MOVED by Director McNeil-Smith, SECONDED by Director Jones,
1. That Bylaw No. 4569, "Temporary Borrowing (Saanich Peninsula Recreation Services Centennial Park Multi-Sport Box) Bylaw No. 1, 2023", be introduced and read a first, second and third time.
CARRIED**

**MOVED by Director McNeil-Smith, SECONDED by Director Jones,
2. That Bylaw No. 4569 be adopted.
CARRIED**

**MOVED by Director McNeil-Smith, SECONDED by Director Jones,
3. That Bylaw No. 4568, "Temporary Borrowing (Saanich Peninsula Recreation Services Panorama Heat Recovery System) Bylaw No. 1, 2023", be introduced and read a first, second and third time.
CARRIED**

**MOVED by Director McNeil-Smith, SECONDED by Director Jones,
4. That Bylaw No. 4568 be adopted.
CARRIED**

7.5. [23-524](#) Growing Communities Fund Allocation and Project Approvals

N. Chan spoke to Item 7.5.

**MOVED by Director Murdoch, SECONDED by Director Brice,
That the recommendations provided to the Capital Regional District Board in
Appendix D Option 1 be endorsed.**

Discussion ensued regarding the allocation of equitable funding towards projects in the electoral areas.

**MOVED by Director Brent, SECONDED by Director Holman,
That the main motion be amended by replacing it in its entirety with the
following:**

That the CRD Board amend the staff recommendation to provide \$3 million in Growing Communities Fund funding to support housing in the core and the Juan de Fuca and Salt Spring Electoral Areas (EA) eligible applications be provided \$5.8 million between them, distribution determined based on further discussions between the EA Directors and staff and that \$2.75 million of the fund be allocated the Southern Gulf Islands EA housing application.

Discussion ensued regarding:

- per capita allocation of funds
- grant funding programs for municipalities and regional districts related to identifiable projects
- eligibility of projects if an equity gap exists
- what staff anticipates as identifiable projects
- provincial distribution of funding to smaller municipalities and electoral areas

Chair Plant ruled that the amendment be referred to staff to identify eligible projects in the electoral areas.

Referral Motion:

**MOVED by Director Brent, SECONDED by Director Holman,
That the amendment be referred back to staff for them to bring a report back that reflects the amendment.**

DEFEATED

**OPPOSED: Alto, Brice, Brownoff, Caradonna, Coleman, de Vries, Murdoch,
Murdock, Plant, Szpak, Tait, Thompson, Tobias, Williams**

Chair Plant ruled the amendment to the main motion out of order due to the lack of eligible projects being identified.

Director Holman challenged whether the Chair be sustained in his ruling permitting the amendment to the main motion.

SUSTAINED

OPPOSED: Holman, Wickheim

Referral Motion:

**MOVED by Director Desjardins, SECONDED by Director Brent,
That the Regional Trails Widening and Lighting project be removed and be referred back to staff to work with electoral area directors to identify projects and**

come back to the Board with those projects.

Discussion ensued regarding:

- potential projects for the electoral areas
- equity of allocated of funds
- impact of removing the Regional Trails Widening and Lighting project
- prioritization of projects within the region
- active transportation grant program

MOVED by Director Murdoch, **SECONDED** by Director Brent,
That the previous question on the referral motion be called.

CARRIED

Opposed: Holman, Wickheim

The question was called on the referral motion:

That the Regional Trails Widening and Lighting project be removed and be referred back to staff to work with electoral area directors to identify projects and come back to the Board with those projects.

DEFEATED

Opposed: Alto, Brice, Brownoff, Caradonna, Coleman, de Vries, Jones, Murdoch, Murdock, Plant, Szpak, Tait, Thompson, Tobias, Williams

The question was called on the main motion:

That the recommendations provided to the Capital Regional District Board in Appendix D Option 1 be endorsed.

CARRIED

Opposed: Brent, Desjardins, Goodmanson, Holman, Kobayashi, Little, Wickheim, Williams

8. REPORTS OF COMMITTEES

Finance Committee

8.1. [23-405](#) Capital Region Emergency Service Telecommunications Inc. (CREST) Service Agreement

MOVED by Director Brice, **SECONDED** by Director Jones,

1. That the March 9, 2022 Board resolution pertaining to the approved Service Agreement be rescinded;
2. That the Chief Administrative Officer be authorized to enter into a further revised Service Agreement to provide emergency communications services, as attached at Appendix C; and,
3. That Staff be directed to amend the Financial Plan to reflect the increased service agreement payments for 2022 to 2027.

CARRIED

Motion Arising:

MOVED by Director McNeil-Smith , **SECONDED** by Director Brice,

That the CRD Board Chair advocate with the Minister of Public Safety and Solicitor General on the implementation of a call answer levy on cell phone devices, and that revenue be available to the CRD to fund CREST operations.

Discussion ensued regarding:

- call levy for cell phones and impact on the agreement
- contract terms related to negotiation of terms

MOVED by Director Kobayashi, **SECONDED** by Director Brice,

That the word "operations" be replaced with the words "service agreement".

CARRIED

The question was called on the main motion as amended:

That the CRD Board Chair advocate with the Minister of Public Safety and Solicitor General on the implementation of a call answer levy on cell phone devices, and that revenue be available to the CRD to fund CREST service agreement.

CARRIED

Transportation Committee

8.2. [23-529](#) Motion with Notice: Transferring of Regional Trails to CRD (Director Caradonna)

This Motion with Notice was withdrawn.

8.3. [23-614](#) Household Hazardous Waste Pickup in Electoral Areas

MOVED by Director Brent, **SECONDED** by Director Holman,
That CRD staff speak to Fire Departments in the Electoral areas and examine if they have any concerns with the storage of household hazardous waste in electoral areas.

MOVED by Director Wickheim, **SECONDED** by Director Brent,
That the main motion be amended to add the word "residential" after the word "the" and before the word "storage".

CARRIED

The question was called on the main motion as amended:

That CRD staff speak to Fire Departments in the Electoral areas and examine if they have any concerns with the residential storage of household hazardous waste in electoral areas.

CARRIED

9. BYLAWS

There were no bylaws for consideration.

10. NOTICE(S) OF MOTION**10.1. [23-646](#) Motion with Notice: Implications of Funding for Homelessness Agencies (Director de Vries)**

Discussion ensued regarding the inclusion of annual work plans of liaison agencies in the report coming back to the Board.

MOVED by Director de Vries, **SECONDED** by Director Murdock,
That staff return to the October meeting of the Hospitals and Housing Committee with a Staff Report detailing the implications associated with a requested 5-year funding extension to the Aboriginal Coalition to End Homelessness (\$150,000 annually with an annual inflation indexation) and a requested increase in funding (\$120,000 annually with an annual cost of living indexation) for the Alliance to End Homelessness in the Capital Region (totaling \$345,000 annually).

CARRIED

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

12.1. [23-630](#) Motion to Close the Meeting

MOVED by Director Tait, **SECONDED** by Director Murdoch,

1. That the meeting be closed for Appointments in accordance with Section 90(1) (a) of the Community Charter.

CARRIED

MOVED by Director Tait, **SECONDED** by Director Murdoch,

2. That the meeting be closed for Labour Relations in accordance with Section 90(1)(c) of the Community Charter.

CARRIED

MOVED by Director Tait, **SECONDED** by Director Murdoch,

3. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter.

CARRIED

The Capital Regional District Board moved to the closed session at 3:34 pm.

13. RISE AND REPORT

The Capital Regional District Board rose from the closed session at 3:59 pm and reported on the following items:

- In accordance with Bylaw No. 4288 that the following be appointed to the Juan de Fuca Board of Variance for a term to expire September 30, 2024: Owen Poppy

- In accordance with the Solid Waste Advisory Committee Terms of Reference that the following be appointed to the Solid Waste Advisory Committee for a term to expire December 31, 2026: Claire Remington

- Island Corridor Foundation Annual General Meeting

1. Recognize the historic and ongoing access, safety and economic development impacts of the island rail corridor on First Nations, and that the future of the corridor be determined through a reconciliation-based approach.

2. Support the reversion of land from the portions of the island rail corridor extracted from reserves to First Nations.

3. Request the Island Corridor Foundation and provincial and federal governments expedite land reversion.

4. Request the Province continue to convene meetings of all participants.

5. Direct staff to participate in joint working groups to support the land reversion process and the determination of a future vision for the corridor that includes consideration for existing assets.

6. That Director Desjardins be nominated for election to the Island Corridor Foundation Board for a two-year term.

7. That the chair write on behalf of the organization indicating it's support of land reversion and the other policies as identified.

14. ADJOURNMENT

MOVED by Director Tait, **SECONDED** by Director Goodmanson,

That the September 13, 2023 Capital Regional District Board meeting be adjourned at 4:00 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER